

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed October 6, 2003. Applicants appreciate the Examiner's consideration of the Application. Claim 9 has been cancelled without prejudice or disclaimer. Claims 1, 12, 20, 24, and 27 have been amended to clarify, more particularly point out, and more distinctly claim inventive concepts previously present in these claims. These amendments are not considered necessary for patentability. Applicants respectfully submit that no new matter has been added by the amendments to the claims. In order to advance prosecution of this Application, Applicants have responded to each notation by the Examiner. Applicants respectfully request reconsideration and favorable action in this case.

Section 102 Rejection

The Examiner rejects Claims 1-5 and 9-27 under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent No. 6,038,601 to Lambert et al. ("*Lambert*"). Applicants respectfully traverse this rejection for the reasons discussed below.

Applicants respectfully submit that *Lambert* fails to disclose the elements specifically recited in Applicants' claims. For example, *Lambert* fails to disclose the elements:

(1) "generating an expiration command at a data center manager in response to a change in the data" and "receiving the expiration command at the cache server from the data center manager" (recited in Applicants' independent Claim 1, as amended);

(2) "receiving an expiration command from a data center manager," "updating an expiration time of the dynamic content item in accordance with the expiration command," and "determining whether the dynamic content item is available at the data center according to the expiration time of the dynamic content item" (recited in Applicants' independent Claim 24, as amended); or

(3) a "data center manager operable to send the expiration message to a cache server" (recited in Applicants' independent Claim 27, as amended).

Lambert discloses a caching server. According to *Lambert*:

Once a cached piece of content expires, the caching server must validate it. This task involves sending a request to the content's owner, and the content owner either responds that the content has not changed or provides the latest version of the content.

(*Lambert*, column 7, lines 45-49). That is, *Lambert* discloses a caching server that performs expiration operations. (See also, FIG. 3). Consequently, at a minimum, *Lambert* fails to disclose, teach, or suggest the data center managers as recited in Claims 1, 24, and 27. For at least these reasons, *Lambert* fails to disclose the elements specifically recited in Applicants' independent Claims 1, 24, and 27.

Applicants' dependent claims are allowable based on their dependence on the independent claims and further because they recite numerous additional patentable distinctions over the cited reference relied on by the Examiner. Because Applicants believe they have amply demonstrated the allowability of the independent claims over the prior art, and to avoid burdening the record, Applicants have not provided detailed remarks concerning these dependent claims. Applicants, however, remain ready to provide such remarks if it becomes appropriate to do so.

Applicants respectfully request reconsideration and allowance of independent Claim Claims 1, 24, and 27 and all claims that depend on these claims.

Section 103(a) Rejection

The Examiner rejects Claims 6-8, 28, and 29 under 35 U.S.C. § 103(a) as being unpatentable over *Lambert* in view of U.S. Patent No. 5,857,188 to Douglas ("*Douglas*"). Applicants respectfully traverse this rejection for the reasons discussed below.

Applicants respectfully submit that the combination of *Lambert* and *Douglas* as suggested by the Examiner fails to disclose, teach, or suggest elements specifically recited in Applicants' claims. For at least the reasons provided above, *Lambert* does not disclose, teach, or suggest the elements specifically recited in Applicants' independent Claim 1, whether *Lambert* is considered alone or in combination with *Douglas*. Applicants' dependent claims are allowable based on their dependence on the independent claims and further because they

recite numerous additional patentable distinctions over the cited references relied on by the Examiner. Because Applicants believe they have amply demonstrated the allowability of the independent claims over the prior art, and to avoid burdening the record, Applicants have not provided detailed remarks concerning these dependent claims. Applicants, however, remain ready to provide such remarks if it becomes appropriate to do so.

Applicants respectfully request reconsideration and allowance of Claims 6-8, 28, and 29.

CONCLUSION

Applicants have made an earnest attempt to place this case in condition for allowance. For at least the foregoing reasons, Applicants respectfully request full allowance of all the pending claims.

If the Examiner believes a telephone conference would advance prosecution of this case in any way, the Examiner is invited to contact Keiko Ichiye, the Attorney for Applicants, at the Examiner's convenience at (214) 953-6494.

Although Applicants believe no fees are due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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